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Portugal*

The present report is a summary of seven stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations

1. In 2013, the European Commission against Racism and Intolerance (CoE-ECRI) recommended that Portugal ratify the International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families and the following instruments of the Council of Europe (CoE): Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms; the Convention on the Participation of Foreigners in Public Life at Local Level; and the European Charter for Regional or Minority Languages.[2]

2. The European Union Agency for Fundamental Rights (EU-FRA) noted that in October 2012 Portugal acceded to the 1954 Convention Relating to the Status of Statelessness and the 1961 Convention on the Reduction of Statelessness.[3]

2. Constitutional and legislative framework

3. CoE-ECRI noted that article 13 of the Constitution sets out the principle of equality, but it had been informed by some authorities that this article was interpreted as excluding the possibility of establishing and implementing positive measures in favour of a disadvantaged group. It mentioned that several laws did include measures which promote positive action, such as article 27 of the Labour Code, but noted that this article had so far not been applied.[4]

4. The International Lesbian, Gay, Bisexual and Transgender Association (Portugal) (ILGA) noted that the Constitution included sexual orientation as a prohibited ground for discrimination and that the other legislation also addressed issues related to sexual orientation.[5] It recommended inclusion of gender identity as a prohibited ground for discrimination under article 13 of the Constitution.[6]

3. Institutional and human rights infrastructure and policy measures

5. In 2012, the Commissioner for Human Rights of the Council of Europe (CoE-Commissioner) welcomed the fact that the Ombudsman (*Provedor de Justiça*) and other national human rights structures, such as the High Commission for Immigration and Intercultural Dialogue (ACIDI) and the Commission for the Protection of Children and Young People at Risk, had not been disproportionately impacted on by the financial austerity measures and invited the authorities to continue to provide adequate support to them.[7]

6. In 2009, the Advisory Committee on the Framework Convention for the Protection of National Minorities of the Council of Europe (CoE-ACFC) noted with satisfaction that the Ombudsman regularly addressed cases related to racism and discrimination.[8]

7. CoE-ECRI recommended that the ACIDI be granted full independence from the Government, as well as investigative powers and the right to initiate and participate in court proceedings.[9] CoE-ACFC noted that ACIDI was placed directly under the responsibility of the Prime Minister which brought into question its independence.[10]

8. CoE-Commissioner encouraged the Ombudsman's Office to enhance its outreach and accessibility to Roma.[11] CoE-ECRI noted the low number of complaints received by the Ombudsman from members of the Roma community and encouraged the authorities to

undertake an awareness-raising campaign to make vulnerable groups aware of the role of the Ombudsman.[12]

9. CoE-Commissioner noted that budgetary austerity had had a significant impact on the work of non-governmental organizations (NGOs) which provide services to vulnerable social groups such as children, the elderly, Roma, migrants and disabled persons. He was informed that public subsidies had sharply decreased and that these payments were often delayed while at the same time these organizations faced an unprecedented increase in requests for assistance.[13]

B. Implementation of international human rights obligations

1. Equality and non-discrimination

10. CoE-ECRI noted that language was not included as one of the grounds for discrimination prohibited in the Criminal Code and called for the amendment of article 240 so as to include these grounds.[14] It recommended the adoption of a provision expressly making racist motivation an aggravating circumstance for all offences.[15]

11. CoE-ACFC noted that the effectiveness of remedies against discrimination were hampered by the complexity of the system and that cases before the ACIDI were often protracted. It called for measures to improve the effectiveness and accessibility of domestic remedies against racial discrimination.[16] CoE-ECRI mentioned that as the ACIDI or its related bodies did not have investigatory powers, they relied on investigations carried out by a competent inspection body, for example, the Labour Inspection. However, there was a lacuna in the procedure in that no investigation could be carried out where a case was related to an area in which there was no competent inspection body.[17]

12. CoE-ECRI welcomed steps that had been taken to combat racial discrimination in the media.[18] It noted that there were reports of an increase in the number of racist websites, particularly those targeting Roma and immigrants. These had included one which used the logo of the National Republican Guard (NRG) law enforcement agency. It noted that the NRG did not immediately disassociate itself from the website, the criminal police did not take any action and the site appeared to have been operational for several months. It recommended that the cybercrime department step up monitoring of the Internet to prevent it from being used to disseminate racist or xenophobic comments and material with a view to prosecuting the perpetrators of such acts.[19]

13. Joint Submission 1 (JS1) noted significant advances in Lesbian, Gay, Bisexual and Transgender (LGBT) rights since 2010, including access to civil marriage and a law allowing transgender people the right to identity. Despite this progress, some LGBT rights were neglected.[20] EU-FRA noted that Portugal was among states that had adopted specific LGBT action plans or integrated these issues into national human rights action plans.[21] It mentioned that in 2011 there was no equality body covering discrimination on the grounds of sexual orientation.[22]

14. ILGA recommended the adoption of a comprehensive anti-discrimination law covering all areas of social and economic life, including the grounds of sexual orientation and gender identity.[23] JS1 recommended promptly reviewing all legislation and measures in this field.[24]

15. Joint Submission 2 (JS2) called for the approval of the bill prohibiting discrimination against persons with HIV which was presented by the opposition party and recommended other measures which related to countering discrimination against persons living with HIV/AIDS.[25]

16. ILGA mentioned that public officials and service providers lack awareness and training in issues of sexual orientation and gender identity and recommended the provision of specific and appropriate training for public officials.[26] JS1 referred to the importance of the training for police, prison officials, but noted that it had focussed on gender-based violence rather than adopting a comprehensive approach which could address issues related to sexual orientation and gender identity as recommended in the first universal periodic review.[27] JS2 recommended legislation to oblige decision makers and health workers to have regular training regarding non-discrimination.[28]

17. JS1 recommended that the Ministry of Education combat homophobia and promote non-discrimination in schools, reinforcing and promoting the fight against bullying.[29]

18. EU-FRA noted the adoption in 2011 of a new law on gender reassignment which introduced a simple administrative procedure and removed requirements deemed to be disproportionate.[30] It mentioned that discrimination on grounds of gender reassignment was not explicitly dealt with in legislation or case law.[31]

2. Right to life, liberty and security of the person

19. The Islamic Human Rights Commission (IHRC) stated that one of the main concerns in the period 2009-2013 was excessive use of force by law enforcement officials and allegations of torture and other-ill-treatment. It mentioned that law enforcement officials were implicated in two high-profile cases of torture and other ill-treatment and their prosecution proceeded very slowly.[32] It stated that a total of 15 young, black and poor people had been killed by the police in the last 10 years and no officer had been convicted.[33] It recommended thorough investigations of ill-treatment and other wrongdoing by law enforcement officials, as well as training in the appropriate use of firearms, batons and electric shock devices.[34]

20. In 2013, CoE-CPT stated that many persons its delegation had met had said they were correctly treated by law enforcement officials at the time of their apprehension and while in police custody. However, it did receive a number of allegations of ill-treatment at the time of apprehension, after the persons had been brought under control, and prior to their arrival at police detention facilities. It also received allegations of ill-treatment by the judicial police during the interrogation process.[35]

21. CoE-CPT noted that many prisoners met by its delegation stated that they were treated fairly by prison officers. However, a number of allegations of ill treatment by prison officers were received at certain prisons. It recommended that the authorities deliver a clear message to all prison managers and custodial staff that all forms of ill-treatment are unacceptable and will be the subject of severe sanctions. It also recommended particular attention to ensuring that medical examinations were carried out when force was used.[36]

22. CoE-CPT noted allegations of physical ill-treatment of patients by prison officers at the psychiatric prison hospital of Santa Cruz do Bispo. The alleged ill-treatment consisted of punches, kicks and blows with batons to the body, apparently often followed by placement in one of the hospital's seclusion cells. It recommended that prison officers called on to intervene at the hospital be given a firm reminder that ill-treatment of patients is unacceptable and will be the subject of severe sanctions. It also recommended that all use of force be recorded and every patient against whom force is employed should be examined by a doctor.[37]

23. CoE-CPT noted that the prison population had been increasing since 2009 and there was no sign of the increase abating. It observed that in a number of establishments overcrowding had reached serious levels; one prison had occupancy at 225 per cent of the official capacity and a further 19 prisons had levels in excess of 130 per cent. It mentioned that in the current economic environment plans to build new prisons had been put on hold.[38]

24. CoE-CPT noted cases where juveniles had been accommodated together with adults and recommended that the authorities ensure that any juveniles detained in an establishment for adults be accommodated separately from adult prisoners.[39]

25. CoE-Commissioner noted that the number of complaints to the Ombudsman relating to domestic violence against children did not increase in 2011 and 2012. However, it noted that the increasingly difficult socio-economic situations for families and high levels of stress and pressure can result in serious risks of domestic violence towards children. It drew attention to the need to monitor carefully the evolution of the situation.[40]

26. JS2 referred to the protection of the rights of survivors of gender-based violence, including trafficking, and noted that violence and stigma continue to affect survivors and that there is a lack of awareness of gender inequalities.[41] The use of discriminatory language in the media and elsewhere deepened stereotypes and social discrimination.[42] It called for support programmes aimed at perpetrators of violence against women with a view to preventing further violence and long-term awareness-raising activities to respond to discriminatory cultural and social norms and stereotypes which legitimize and perpetuate violence against women.[43] JS2 further called for improvements in the judicial system to increase the celerity of processes and better control of the execution of sentences and articulation of decisions in order to promote the safety of victims.[44]

27. JS2 mentioned Portugal's efforts in tackling female genital mutilation (FGM) including the Second Programme of Action for the elimination of FGM (2011-2013). It noted reports that FGM had been carried out on Portuguese territory and called for the implementation of monitoring mechanisms and for studies on its prevalence.[45]

28. EU-FRA noted that the Fourth National Action Plan against Domestic Violence, which was adopted in 2010, found that LGBT persons were particularly vulnerable to domestic violence and proposed targeted measures for their protection, although these measures were yet to be specified.[46]

29. The Portuguese Association for Victim Support (APAV) noted that between 2000 and 2011 there was a 158 per cent increase in crimes where older persons were the victims.[47] CoE-Commissioner referred to deep concerns at the reported rapid increase in domestic violence and other violence towards the elderly and noted that the Ombudsman had reported a high number of calls in 2011 and 2012 on its phone line for the elderly. CoE-Commissioner also mentioned that an increasing number of cases of abuse, including sometimes violence, resulted from families who withdrew elderly persons from institutionalized care in order to benefit from their pensions. It recommended that the authorities pay particular attention to the needs of families caring for older persons in order to limit the risk of abuses and mistreatment on the one hand, and limit increased poverty among families on the other.[48] APAV had similar information and recommended implementing the National Action Plan for the Prevention of Violence against Elderly People proposed by the relevant working group of the Directorate General of Health.[49]

30. APAV made a number of recommendations relating to victims of crimes of violence (including children, older persons or members of other vulnerable groups). These included: identifying and evaluating intervention protocols for health practitioners; developing guidelines aimed at achieving adequate standards of support to victims; promoting communication between the authorities to guarantee effective intervention; disseminating information to health practitioners on violence against children and elderly people (including measures on measures for the detection and prevention of such situations); ensuring that victims of serious crimes and domestic violence are exempted from charges for health services; and making more frequent use of the mechanisms foreseen in the Witness Protection Law.[50]

31. In 2013, the Group of Experts on Action against Trafficking in Human Beings of the Council of Europe (CoE-GRETA) mentioned that the authorities had taken important steps to prevent and combat trafficking in human beings, but noted that NGOs had not been sufficiently involved in their planning and implementation. It considered that the authorities should adjust policy to give more attention to trafficking for the purpose of labour exploitation and take greater account of male and child victims of trafficking.[51] It welcomed the criminalization of the use of services or organs of victims of human trafficking and invited the authorities to continue their efforts to address demand as a root cause of human trafficking.[52] JS1 mentioned the increased State budget to support NGOs working in the areas of fighting gender-based violence and human trafficking.[53]

32. CoE-GRETA noted that the authorities had introduced a "Reporting – Identification – Integration" system, but that the multi-disciplinary team which is supposed to receive reports on potential victims and assist the police in victim identification had limited capacity to intervene. It also noted a degree of reluctance among some civil society actors to report trafficking cases for fear that the police investigation might expose victims to their traffickers or result in their removal from the country as irregular migrants.[54]

33. CoE-GRETA mentioned that only one shelter providing accommodation for victims of trafficking had been set up and that this had limited capacity and was for women victims only. It urged that assistance be increased and that the services available be sufficient and appropriate to victims' specific needs. It also called for improved assistance for child victims of trafficking.[55]

34. CoE-GRETA urged the authorities to ensure that victims of trafficking are systematically informed of the possibility of, and/or are effectively granted, a recovery and reflection period. It also invited the authorities to ensure that victims are made aware of the right to compensation and can effectively enjoy this right, particularly through access to legal assistance.[56]

35. CoE-GRETA expressed concern at the low number of convictions for human trafficking and urged the authorities to take steps to identify gaps in the investigation procedure and presentation of cases in courts. It also stressed the need for improving the knowledge and sensitivity of judges, prosecutors, investigators and lawyers about trafficking in human beings and victim's rights.[57]

36. JS2 noted that Portugal had high numbers of sex workers infected with HIV. It called for Portugal to consider the potential of decriminalizing sex work and related practices, as a strategy to reduce the opportunities for exploitative labour practices in the sex sector.[58]

3. Administration of justice, including impunity, and the rule of law

37. CoE-ECRI considered that the authorities should look more closely into the reasons why there was so little recorded racist crime. It noted that it could be, as the authorities claimed, that the society was extremely tolerant, but also considered that victims of racist crime may be unwilling to report the crimes to the police, there may be a lack of confidence in the criminal justice system or that the low number may be due to failure by the police to register the racist nature of offences. It invited the authorities to examine these factors and take steps to remedy them where necessary.[59]

38. CoE-ECRI noted that complaints against the law enforcement agencies are investigated by inspectorates under the Ministries of Internal Administration and Justice respectively. CoE-ECRI suggested that there would be more confidence in the handling of complaints if the inspectorates did not have direct links with the ministries.[60] It noted that the number of complaints submitted against police officers concerning racist or racially discriminatory acts between 2006 and 2012 was extremely low. It considered that the

figures suggested that the complaints system was not functional and needed to be revised in order to restore faith in the complaints procedure and the police.[61]

39. CoE-ACFC noted that the anti-discrimination legislation and provisions in the Criminal Code dealing with racially-motivated offences seemed to be applied rarely by the courts. It was also informed that victims of discrimination tended not to complain, which may be explained by a lack of information about the available remedies and, in some instances, a lack of confidence in the criminal justice system. It recommended expanding awareness-raising efforts in society on racial discrimination and the existing remedies as well as awareness-raising among and training of law enforcement officials and the judiciary.[62]

40. CoE-ECRI noted that victims of racial discrimination had to turn to the civil courts to claim damages on the basis of the administrative procedure; the levels of compensation awarded were extremely low; and this avenue was rarely pursued.[63]

41. CoE-ECRI encouraged continued efforts to provide specific training to judges, prosecutors and police on the application of criminal law provisions against racism and racial discrimination and in particular how to recognize racist motivation.[64] CoE-ACFC made similar recommendations.[65] IHRC recommended training of law enforcement officials and other State actors to respect racial and other ethnic minorities.[66]

42. Referring to institutionalized racism, IHRC stated that there was a slow judicial process or often a judicial process where law enforcement officials and other State actors were not punished for their unlawful acts and this gave a sense of impunity to law enforcement officials.[67]

43. CoE-CPT stated that its delegation met a number of persons who claimed they had not been able to inform a member of their family that they were in police custody. It recommended ensuring that the right of persons deprived of their liberty by law enforcement officials to notify their detention to a third party, as from the outset of custody, is enjoyed in practice.[68]

44. CoE-CPT mentioned that its findings indicated that the right to access to a lawyer was, in fact, not effective for the majority of persons detained by law enforcement officials. If a detained person could not afford a private lawyer, he or she would only be granted access to an ex officio lawyer at the court hearing before a judge. This hearing could take place up to 48 hours after the defendant's apprehension. It called upon the authorities to ensure that the right of access to a lawyer, including the right to talk to a lawyer in private, is enjoyed by all persons obliged to remain with the police, from the very outset of the deprivation of liberty.[69] It recommended that law enforcement officials be reminded of their obligations to immediately inform detained persons of their rights.[70]

45. CoE-CPT referred to cases where juveniles alleged that they were interrogated without a lawyer being present. It recommended that steps be taken to ensure that juveniles are not required to make any statements or sign any documents concerning the offences of which they are suspected without benefitting from the presence of a lawyer and, in principle, a trusted adult person to assist them.[71]

46. CoE-CPT recommended that the authorities put in place a programme of purposeful activities for all juvenile prisoners on remand and take immediate steps to amend the legal provisions to substantially reduce the period during which a juvenile can be placed in solitary confinement for disciplinary purposes.[72]

47. APAV mentioned concerns over the re-victimization of child victims of crime and recommended creating mechanisms whereby child victims are heard only once in judicial proceedings, whenever possible, and interviews undertaken in appropriate conditions and by qualified specialists.[73]

4. Right to family life

48. JS1 called for the approval of the bill on co-adoption, which was voted on by Parliament in May 2013, in order to prevent the marginalization of LGBT individuals, and for the removal of other legal obstacles which prevent LGBT couples from exercising their right to form a family.[74]

49. JS1 recommended reviewing the law on medically assisted procreation (MAP) to ensure that all persons can have access to MAP, including surrogacy, without threat of illegality or non-recognition of the link between the child and the parents/mothers. It called for access to MAP without discrimination and referred to the current legislation which prohibits access to MAP to single women and same-sex couples.[75]

5. Freedom of movement

50. CoE-Commissioner referred to Roma settlements which had been fenced off and a case in the town of Beja where the settlement had been surrounded by a wall leaving only one entrance and exit route. Although the State authorities had instructed the city authorities to dismantle the wall, at the time of the Commissioner's last visit in May 2012 demolition work had not been completed.[76] In 2013 CoE-ECRI reported that the local authorities had decided to lower the height of the wall instead of removing it because it served as a security barrier beside a main road. CoE-ECRI considered that the wall was a disproportionate measure and that other means of protection from the road were available. It called for all such walls or other barriers around Roma settlements to be removed.[77]

6. Right to work and to just and favourable conditions of work

51. CoE-Commissioner noted that the unemployment rate had reached 15.2 per cent in April 2012 and youth unemployment had reached 36.2 per cent.[78]

52. EU-FRA reported that the gender pay gap increased by 3.6 per cent between 2008 and 2010.[79]

53. EU-FRA noted that only about one in 10 Roma aged between 20 and 64 considered themselves to be in paid employment.[80] CoE-ACFC mentioned that Roma faced discrimination in employment; programmes of vocational training of Roma had often had a limited impact on employment rates; and there was limited support for self-employment and setting up small business which could constitute alternatives to itinerant trade and work in fairs and markets. It also noted the absence of a uniform legal framework regulating itinerant trade at the local level.[81]

7. Right to social security and to an adequate standard of living

54. CoE-Commissioner mentioned that inequalities seemed to have grown since March 2011 following the adoption of severe austerity measures. A study by the European Commission indicated that these measures had had a disproportionately negative impact on the poorest 10 per cent of the population.[82] CoE-Commissioner stated that his interlocutors had confirmed the trend of increasing child poverty. It noted that the poverty risk for families with children is higher than the population as a whole and that it increases with each additional child.[83]

55. CoE-Commissioner noted two series of major cuts in child care benefits between 2010 and 2012 through which 67,000 children lost access to child benefits. In total the State reduced its financial support to families with children between 2010 and 2011 by 30 per cent.[84] EU-FRA also noted that a decree adopted in June 2012 significantly reduced various benefits which had severe financial implications for families with children.[85]

56. CoE-Commissioner noted that the Ombudsman had received an increasing number of complaints relating to social protection issues between 2011 and 2012: many of these concerned the introduction of stricter accessibility conditions for a number of social benefits, including child benefits. It mentioned that in December 2011 the Ombudsman called on the authorities to simplify the rules for accessing child benefits as a matter of urgency as it appeared that the new rules had unduly deprived a number of persons of access to the benefits.[86] CoE-Commissioner urged the authorities to ensure that both austerity measures and anti-poverty policies and programmes pay specific attention to the rights of the child since children form a group that is particularly vulnerable to poverty. It called, in particular, for the State to ensure that the austerity measures do not put the progress made in the last decade in combatting child poverty at risk.[87]

57. CoE-Commissioner stated that it would be particularly important to conduct a human rights-based impact assessment of the social emergency programme and other poverty alleviation and recovery plans in Portugal, possibly through existing national human rights structures. It also recommended that policy-making on poverty prevention and alleviation should closely involve the relevant civil society organizations.[88]

58. EU-FRA referred to reports from organizations working with the homeless which indicated that the rate of homelessness had increased since the beginning of the economic crisis.[89]

59. CoE-Commissioner noted that during the winter 2011-2012 the mortality rate among the elderly had increased 10 per cent in comparison with 2011. Health professionals stated that this could not be explained by seasonal factors alone, and they considered that fiscal austerity measures had had an impact on the situation of the elderly, especially those living on small pensions. It noted the freezing of pensions, restrictions on the free transport of sick persons, as well as increases in gas, electricity and food prices as other factors affecting older persons.[90]

60. CoE-Commissioner drew attention to the need to ensure that members of social groups that are particularly vulnerable to, and affected by, fiscal austerity measures, such as children, the elderly and Roma, are identified and effectively protected by the State on the basis of impact assessments. It called for Portugal to establish clear criteria for prioritizing the social protection of these groups and set up a relevant comprehensive data collection system in accordance with internationally accepted standards.[91]

61. CoE-Commissioner was informed that the living conditions of Roma in social housing are often inadequate, as houses are built with low quality materials, in areas with no proper drainage systems. Moreover, the number of Roma families on waiting lists for social housing is disproportionately high and many of them do not meet the requirements for access to social housing through the Special Rehousing Programme as the beneficiaries of this programme were identified through a census of informal Roma settlements carried out in 1993 which no longer reflects the current situation. Recent cuts in public funding for social housing have reportedly resulted in non-implementation of many approved social housing projects and local authorities not considering new housing investments.[92]

62. CoE-Commissioner noted with concern that, due to the lack of adequate social housing, a number of Roma families continued to live in informal settlements consisting mostly of tents, makeshift shacks, huts or dilapidated concrete housing blocks. They usually lacked access to basic services such as running water, electricity and sewage systems. Additionally, a number of these settlements were located in hazardous areas, including former rubbish dumps.[93]

63. CoE, CoE-Commissioner and EU-FRA referred to the case of European Roma Rights Centre (ERRC) v. Portugal at the European Committee of Social Rights where the Committee found that the national authorities had failed to show that they had taken

sufficient measures to ensure that Roma live in housing that meet minimum standards of adequacy.[94] It also found that the implementation of re-housing programmes by municipalities had often led to the segregation of Roma populations.[95]

8. Right to health

64. JS2 made a number of recommendations related to the provision of comprehensive sexuality education (CSE) for children in order to increase young people's ability to make and implement decisions about their lives in relation to sexual health. These included making CSE a mandatory subject and training and teachers in the subject.[96]

65. JS2 made recommendations related to the protection of the health and labour rights of sex workers.[97]

9. Right to education

66. CoE-Commissioner noted that public education had been affected by austerity measures. In 2012 the Government announced that the number of pupils per class would increase and limitations on tax exemptions for education expenses were introduced. Cuts in child benefits, which many parents used for educations costs, had a particularly negative impact on education. In addition, the tightening of the budgets of local authorities resulted in less funds being available locally to support public schools.[98]

67. EU-FRA noted that less than one in 10 Roma children were reported to have completed upper-secondary education.[99]

68. EU-FRA mentioned that Roma children were especially prone to segregation in education and that they may be put in special classes or schools.[100]

69. EU-FRA noted that the go-to-school programme run by the Aliens and Borders Service encouraged migrants in an irregular situation to place their children in school.[101]

10. Persons with disabilities

70. CoE-Commissioner expressed concerned that cuts in 2012 to the budget for the purchase of technical equipment for persons with disabilities, amounting to 30 per cent of the previous budgets, would negatively affect elderly persons with disabilities.[102]

71. EU-FRA mentioned that certain NGOs had called for solutions to problems encountered by blind persons when voting.[103]

11. Minorities

72. CoE-Commissioner welcomed the adoption in January 2012 of the National Strategy for the Integration of Roma Communities for the period 2012-2020. It noted that this was the first national strategy for Roma in Portugal comprehensively to cover all areas of life in which Roma face difficulties.[104]

73. CoE-ACFC stated that cases of harassment, misconduct and abuse against persons belonging to ethnic minorities, especially the Roma, continued to be reported. Relations between the Roma and law enforcement agencies were sometimes tense and characterized by mutual distrust.[105]

12. Migrants, refugees and asylum seekers

74. EU-FRA mentioned that some asylum seekers raised the fact that they were asked to sign a receipt for a written document without understanding that it was a negative asylum decision. Some also expressed concern about the qualifications and commitment of lawyers assigned to them and/or delays in the assignment of the lawyers.[106]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

APAV	Portuguese Association for Victim *Support (Apoio à Vitima)* (Lisbon, Portugal);
IHRC	Islamic Human Rights Commission (Wembley, United Kingdom);
ILGA	International Lesbian, Gay, Bisexual and Transgender Association (*ILGA Portugal - Intervenção Lésbica, Gay, Bissexual e Transgénero*) (Lisbon, Portugal);

Joint submissions:

JS1	Joint Submission 1 by: Portuguese Family Planning Association (Associação Para o Planeamento da Família) (APF) (Lisbon, Portugal) and members of the Sexual Rights Initative coalition: Action Canada for Population and Development (ACPD), Akahatá – Equipo de Trabajo en Sexualidades y Géneros, Coalition of African Lesbians (CAL), Creating Resources for Empowerment in Action (CREA; India), Federation for Women and Family Planning (Poland), Egyptian Initiative for Personal Rights (EIPR));
JS2	Joint Submission 2 by: Isabel Nunes, Seres (Lisbon, Portugal) and members of the Sexual Rights Initative coalition: Action Canada for Population and Development (ACPD), Akahatá – Equipo de Trabajo en Sexualidades y Géneros, Coalition of African Lesbians (CAL), Creating Resources for Empowerment in Action (CREA; India), Federation for Women and Family Planning (Poland), Egyptian Initiative for Personal Rights (EIPR)).

Regional intergovernmental organizations:

CoE	Council of Europe, Strasbourg (France). *Attachments:* (CoE-ACFC) Advisory Committee on the Framework Convention for the Protection of National Minorities, Second Opinion on Portugal, Adopted on 5 November 2009, Strasbourg, 26 April 2010, Strasbourg, 26 April 2010; (CoE-Commissioner) Report by Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, Following his visit to Portugal from 7 to 9 May 2012, Strasbourg, 10 July 2012, CommDH (2012)22; (CoE-CPT) Report to the Portuguese Government on the visit to Portugal carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 7 to 16 February 2012, Strasbourg, 24 April 2013, CPT/Inf (2013) 4; (CoE-ECRI) European Commission against Racism and Intolerance (ECRI) Report On Portugal, (fourth monitoring cycle), Adopted on 21 March 2013, Published on 9 July 2013, CRI(2013)20; (CoE-ECSR(2011)) European Committee of Social Rights, Conclusions 2011 (Portugal), Articles 7, 8, 16, 17, 19, 27 and 31 of the Revised Charter, January 2012; (CoE-GRETA) Group of Experts on Action against Trafficking in Human Beings, Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Portugal, First evaluation round, Strasbourg,12 February 2013, GRETA(2012)17;
EU-FRA	European Union Agency for Fundamental Rights, Vienna (Austria).

[2] CoE-ECRI, paras. 1 and 4.

[3] EU-FRA, p.4.

[4] CoE-ECRI, para. 5.
[5] ILGA, pp. 1-2.
[6] ILGA, p. 3.
[7] CoE-Commissioner, pp. 3 and 14.
[8] CoE-ACFC, para. 35.
[9] CoE-ECRI, paras. 44-45.
[10] CoE-ACFC, para. 37.
[11] CoE-Commissioner, p. 11.
[12] CoE-ECRI, paras. 47-49.
[13] CoE-Commissioner, p. 14.
[14] CoE-ECRI, paras. 12-13.
[15] CoE-ECRI, paras. 14-15.
[16] CoE-ACFC, paras. 37 and 129.
[17] CoE-ECRI, para. 32.
[18] CoE-ECRI, paras. 68-71.
[19] CoE-ECRI, paras. 74-77 and 177.
[20] JS1, paras 7, 9.
[21] EU-FRA p.9.
[22] EU-FRA, pp.19, 23.
[23] ILGA, p. 3.
[24] JS1, para. 44.
[25] JS2, paras. 13-22.
[26] ILGA, pp. 3 and 4.
[27] JS1, para. 5.
[28] JS2, para. 12.
[29] JS1, para 47.
[30] EU-FRA, pp. 13, 19 and 20.
[31] EU-FRA, p.22.
[32] IHRC, p. 2.
[33] IHRC, p. 3.
[34] IHRC, p. 4.
[35] CoE-CPT, para. 9.
[36] CoE-CPT, paras. 33-36.
[37] CoE-CPT, paras. 93-94.
[38] CoE-CPT, para 29.
[39] CoE-CPT, para. 54.
[40] CoE-Commissioner, pp. 7 and 16.
[41] JS2, para. 23.
[42] JS2, para. 29.
[43] JS2, para. 32.
[44] JS2, para. 34.
[45] JS2, paras. 27-28 and 35-36.
[46] EU-FRA, pp. 13 and14.
[47] APAV, p. 1. See also CoE-Commissioner, p. 9.
[48] CoE-Commissioner, pp. 9 and 17.
[49] APAV, pp. 2-3.
[50] APAV, pp. 3-4.
[51] CoE-GRETA, p. 7.
[52] CoE-GRETA, p. 7.
[53] JS1, para 3.
[54] CoE-GRETA, p. 7.
[55] CoE-GRETA, p. 7.
[56] CoE-GRETA, p. 8.
[57] CoE-GRETA, p. 8.
[58] JS2, paras. 40-41.
[59] CoE-ECRI, para. 19.

[60] CoE-ECRI, para. 177.
[61] CoE-ECRI, para. 178.
[62] CoE-ACFC, paras. 38-40.
[63] CoE-ECRI, para. 26.
[64] CoE-ECRI, para. 24.
[65] CoE-ACFC, paras 14 and 129.
[66] IHRC, p. 4.
[67] IHRC, p. 3.
[68] CoE-CPT, para. 20.
[69] CoE-CPT, para. 22.
[70] CoE-CPT, para. 25.
[71] CoE-CPT, para. 23.
[72] CoE-CPT, paras. 55 and 79.
[73] APAV, pp. 2 and 4.
[74] JS1, paras. 22-24 and 39-40. See also 1° GA, pp. 2 and 3.
[75] JS1, paras. 25-29, 42-43.
[76] CoE-Commissioner, pp 11 and 12.
[77] CoE-ECRI, paras. 107-108.
[78] CoE-Commissioner, p. 4.
[79] EU-FRA, p.12.
[80] EU-FRA, p.15.
[81] CoE-ACFC, paras. 111-112 and 115-116.
[82] CoE-Commissioner, p. 4.
[83] CoE-Commissioner, p. 5.
[84] CoE-Commissioner, p. 5.
[85] EU-FRA, p.7.
[86] CoE-Commissioner, p. 5.
[87] CoE-Commissioner, pp. 6 and 16.
[88] CoE-Commissioner, p. 16.
[89] EU-FRA p. 4.
[90] CoE-Commissioner, p. 8.
[91] CoE-Commissioner, p. 16.
[92] CoE-Commissioner, p. 12.
[93] CoE-Commissioner, p. 12. See also CoE-ACFC, paras. 110 and 114-115.
[94] CoE, p.9, CoE-Commissioner, pp. 11-12, EU-FRA, p. 13.
[95] CoE-ECSR(2011), pp. 34-40.
[96] JS2, paras. 52-57.
[97] JS2, paras. 42-48.
[98] CoE-Commissioner, p. 6.
[99] EU-FRA p.15.
[100] EU-FRA, p. 8.
[101] EU-FRA, p.17.
[102] CoE-Commissioner, p. 8.
[103] EU-FRA, p.13.
[104] CoE-Commissioner, p. 10.
[105] CoE-ACFC, para. 20.
[106] EU-FRA, p.24.